

Warrick County Ordinance #2013 - 30

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS
REGARDING EXECUTIVE AND FISCAL BODY DISTRICTS**

WHEREAS, pursuant to Indiana Code § 36-2-2-2, the executive body of this County is formally identified as "The Board of Commissioners of the County of Warrick"; and

WHEREAS, the most recent executive body district division occurred on December 6, 2001; and

WHEREAS, Indiana Code § 36-2-2-4(a) provides, in pertinent part, that the county executive shall divide the county into three (3) contiguous and reasonably compact districts; and

WHEREAS, Indiana Code § 36-2-2-4(f) provides, in pertinent part, that a division of the County into executive body districts may be done in any odd numbered year; and

WHEREAS, pursuant to Indiana Code § 36-2-2-4(a), the executive districts shall not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting; and

WHEREAS, the Board of Commissioners believes the existing executive districts to be in compliance with Indiana Code § 36-2-2-4(a), and therefore not in need of redistricting at this time; and

WHEREAS, pursuant to Indiana Code § 36-2-3-2(a), the fiscal body of this County is formally identified as "The Warrick County Council"; and

WHEREAS, the most recent fiscal body district division occurred on October 28, 2013, but due to scrivener's error, District 1 of The Warrick County Council improperly included Ohio 33 which was intended to be included under District 3; and

WHEREAS, Indiana Code § 36-2-3-4(a) provides, in pertinent part, that the county executive shall, by ordinance, divide the county into four (4) contiguous, single-member fiscal body districts; and

WHEREAS, Indiana Code § 36-2-3-4(e) provides, in pertinent part, that a division of the County into fiscal body districts may be done in any odd-numbered year; and

WHEREAS, the single-member districts shall be compact, not cross precinct boundary lines, contain as nearly equal as possible populations and include whole townships except when clearly necessary to accomplish redistricting under Indiana Code § 36-2-3-4(d); and

WHEREAS, according to the results of the 2010 United States Census and the scrivener's error as identified, the individual fiscal body districts are not as equal as possible as required by Indiana Code § 36-2-3-4(d)(3); and

WHEREAS, in order to comply with Indiana Code with respect to the requirements of division of fiscal body districts, such districts must be redrawn; and

WHEREAS, Ordinance 2013-26, in order to effect the necessary changes, shall be rescinded in its entirety.

NOW IT IS THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, INDIANA, AS FOLLOWS:

1. Due to scrivener's error, Ordinance 2013-26 is rescinded in its entirety.
2. The Districts for The Board of Commissioners of the County of Warrick shall remain as follows:
 - a. District 1 shall be comprised of all precincts of Anderson and Ohio Townships.
 - b. District 2 shall be comprised of all precincts of Boon, Campbell and Greer Townships.
 - c. District 3 shall be comprised of all precincts of Hart, Lane, Owen, Pigeon and Skelton Townships.
3. The Districts for The Warrick County Council shall be as follows:
 - a. District 1 shall be comprised of the following precincts in Ohio Township: 1, 3, 4, 10, 11, 15, 16, 17, 19, 20, 22, 27, 28, 32.
 - b. District 2 shall be comprised of the following precincts: Campbell; Greer 1; and Ohio precincts 2, 6, 8, 9, 12, 13, 21, 23, 29, 30, 31.
 - c. District 3 shall be comprised of the following precincts: Anderson (being all of Anderson Township); Boon precincts 1, 2, 3, 4, 5, 7, 10, 15; Ohio precincts 5, 18, 24, 25, 26, 33.
 - d. District 4 shall be comprised of the following precincts: Boon precincts 6, 8, 9, 11, 12, 13, 14; Greer 2; Hart precincts 1 and 2; Lane (being all of Lane Township); Owen (being all of Owen Township); Ohio precincts 7 and 14; Pigeon (being all of Pigeon Township); Skelton precincts 1 and 2.

- e. The remaining members of the Warrick County Council shall be "at large districts" and shall be elected by the voters of the whole county pursuant to Indiana Code § 36-2-3-4(a)
4. This ordinance, amending the Code of Ordinances of Warrick County, Indiana, will become effective upon passage.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF WARRICK COUNTY, STATE OF INDIANA THIS 9TH DAY OF DECEMBER, 2013.

BOARD OF COMMISSIONERS OF
WARRICK COUNTY, INDIANA


Don Williams, President



Marlin Weisheit, Vice President


Richard Reid, Commissioner

ATTEST:


L.B. Dugan, Auditor
Warrick County, Indiana

APPROVED AS TO LEGAL FORM:


S. Adam Long
LONG & MATHIES LAW FIRM, P.C.
County Attorney